



**CALIFORNIA
HIGH-SPEED RAIL
AUTHORITY**

BRIEFING: MARCH 2010 BOARD MEETING AGENDA ITEM #7

TO: Chairman Pringle and Authority Board Members

FROM: George Spanos, Deputy Attorney General

DATE: 2/23/10

RE: Interim Executive Director

Summary

In the event that a permanent executive director is not hired or able to take office immediately after the incumbent's departure from the position, it will be necessary for the board to appoint an executive director to serve during the interim period between the incumbent's departure (currently scheduled for March 31) and the date the permanent executive director assumes office. In order to avoid any question as to the validity of any action, including the signing of contracts, performed by the person being appointed, that person must be the executive director with all the powers and duties of the position, albeit he or she is appointed to the position for an interim period. In addition, approximately one year ago the Department of Personnel Administration approved the salary currently earned by the incumbent executive director. Since the person serving during the interim period will have the same responsibilities and duties as the incumbent, it is recommended that this person receive the currently established salary during his or her tenure as executive director.

Staff Recommendation

Designate an Executive Director to serve for an interim period and approve the attached resolution with the addition of that person's name.

Attachments:

- ✓ Proposed resolution

Resolution

Whereas the incumbent executive director has announced his retirement from the Authority effective March 31, 2010, and

Whereas the Authority has initiated a process to select and to hire a new, permanent executive director, and

Whereas it is possible that there may be a gap in time between the departure from the position of the incumbent executive director and the assumption of office of his permanent replacement, and

Whereas it is necessary to appoint someone to the position of executive director during that gap in time,

Therefore,

It is resolved, that _____ is hereby appointed to the position of executive director, with all the powers and duties of that position, effective at the time the incumbent executive director ceases to be executive director, and until the assumption of the position of executive director by a permanent replacement; and

It is further resolved that _____ shall receive the salary as previously approved by the Department of Personnel Administration during his or her tenure as executive director, and

It is further resolved, that _____ shall be reinstated to his or her current position after ceasing to serve as executive director.